

CAMILLE M. ABATE, ESQ.
ATTORNEY AT LAW

Of Counsel, Nicholas Goodman & Associates
333 Park Avenue South, Suite 3A, New York, NY 10010
TEL: (212) 227-9003 • FAX: (212) 937-2112

October 6, 2020

VIA ECF

The Honorable P. Kevin Castel
United States District Judge
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, New York 10007

Argument
Conference Adjourned

From: *Oct. 13, 2020*

To: *Nov. 18, 2020 at 4:00 p.m.*

SO ORDERED:

[Signature]
P. KEVIN CASTEL, U.S.D.J.

United States v. Emilio Fusco, *89* Cr. 1239 (PKC) *10-6-20*
Request to Reschedule Oral Argument

Dear Judge Castel:

Oral argument for Mr. Fusco's compassionate release motion is currently scheduled for next Tuesday, October 13, at 3:00 p.m. For the following reasons, I respectfully request to reschedule the argument to the morning session on Tuesday, October 20, or anytime in the afternoon on Wednesday, October 21, or the morning session of Thursday, October 22. If those dates are not convenient, then I request the morning of any Tuesday or Thursday available to the Court, or any time on Wednesday, October 28.

First, I teach at Brooklyn Law School every Tuesday and Thursday at 3:55 p.m. to 5:50 p.m. The currently scheduled oral argument causes me concern that it may bleed into the time I am required to teach. Additionally, I do final preparation for the class in the hour or two before it commences, so that would also affect my ability to effectively instruct the students.

Second, because Mr. Fusco is at FMC Devens, where setting up legal phone calls takes at least three days' notice and given the adjusted timeline for the government's submission due to late assignment of an AUSA, I am concerned that I will not have adequate time to review the opposition papers with Mr. Fusco before the 13th.

I have spoken to AUSA Christy Slavik about this matter, and she has no objection to the adjournment.

Sincerely,

s/s Camille M. Abate, Esq.
Camille M. Abate, Esq.

cc: AUSA Christy Slavik (via ECF)